

Senate File 441 - Introduced

SENATE FILE _____
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO SSB 1297)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to local emergency management by modifying
2 provisions of the statewide mutual aid compact and by making
3 changes to certain funding provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2314SV 83
6 tm/sc/5

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1 1 Section 1. Section 29C.17, subsection 2, unnumbered
1 2 paragraph 1, Code 2009, is amended to read as follows:
1 3 For the purposes consistent with this chapter, the county
1 4 emergency management agency's approved budget ~~may~~ shall be
1 5 funded by one or any combination of the following options:
1 6 Sec. 2. Section 29C.17, subsection 2, paragraph a, Code
1 7 2009, is amended to read as follows:
1 8 a. A countywide special levy in an amount submitted by the
1 9 emergency management commission to the board of supervisors
1 10 and approved by the board of supervisors.
1 11 Sec. 3. Section 29C.22, unnumbered paragraph 1, Code 2009,
1 12 is amended to read as follows:
1 13 This statewide mutual aid compact is entered into with all
1 14 other emergency management commissions established pursuant to
1 15 section 29C.9, counties, cities, and other political
1 16 subdivisions that enter into this compact in substantially the
1 17 following form:
1 18 Sec. 4. Section 29C.22, subsection 1, paragraph a, Code
1 19 2009, is amended to read as follows:
1 20 a. This compact is made and entered into by and between
1 21 the participating emergency management commissions established
1 22 pursuant to section 29C.9, counties, cities, and political
1 23 subdivisions which enact this compact. For the purposes of
1 24 this agreement, the term "participating governments" means
1 25 emergency management commissions, counties, cities, townships,
1 26 and other political subdivisions of the state which have not,
1 27 through ordinance or resolution of the governing body, acted
1 28 to ~~adopt~~ withdraw from this compact. The inclusion of
1 29 emergency management commissions in the term "participating
1 30 governments" shall not convey taxing authority or other legal
1 31 authority to emergency management commissions that is not
1 32 otherwise granted in this chapter.
1 33 Sec. 5. Section 29C.22, subsection 3, Code 2009, is
1 34 amended by adding the following new paragraph:
1 35 NEW PARAGRAPH. e. For purposes of this subsection,
2 1 "authorized representative of a participating government"
2 2 means a mayor or the mayor's designee, a member of the county
2 3 board of supervisors or a representative of the board, or an
2 4 emergency management coordinator or the coordinator's
2 5 designee.
2 6 Sec. 6. Section 29C.22, subsection 11, paragraph a, Code
2 7 2009, is amended to read as follows:
2 8 a. This compact shall become operative ~~immediately upon~~
2 9 ~~its adoption by ordinance or resolution by the governing~~
2 10 ~~bodies of any two political subdivisions July 1, 2009.~~
2 11 ~~Thereafter, this compact shall become effective as to any~~
2 12 ~~other political subdivision upon its adoption by ordinance or~~
2 13 ~~resolution of the governing body of the political subdivision.~~
2 14 Sec. 7. Section 445.5, subsection 1, paragraph e, Code

2 15 2009, is amended to read as follows:

2 16 e. The complete name of all taxing authorities receiving a
2 17 tax distribution, the amount of the distribution, and the
2 18 percentage distribution for each named authority, listed from
2 19 the highest to the lowest distribution percentage. The taxing
2 20 authority, amount of distribution, and percentage of
2 21 distribution for a levy approved pursuant to section 29C.17,
2 22 subsection 2, shall also be included.

2 23 EXPLANATION

2 24 This bill relates to local emergency management by making
2 25 changes to the statewide mutual aid compact and emergency
2 26 management commissions.

2 27 The bill includes emergency management commissions as
2 28 participating governments that are part of the statewide
2 29 mutual aid compact. However, such inclusion does not convey
2 30 taxing authority or other legal authority not otherwise
2 31 granted to emergency management commissions.

2 32 The bill defines the term "authorized representative of a
2 33 participating government" which is the entity that may request
2 34 assistance under the compact.

2 35 Currently, the compact is an "opt-in" compact where a
3 1 participating government passes an ordinance or resolution
3 2 adopting the compact. The bill changes the compact to an
3 3 "opt-out" compact where the compact automatically applies to
3 4 all emergency management commissions, counties, cities, and
3 5 other political subdivisions in the state and a participating
3 6 government may opt-out of participation through the adoption
3 7 of an ordinance or resolution.

3 8 The bill requires the county emergency management agency's
3 9 approved budget to be funded by one or a combination of
3 10 certain funding options. The bill amends one of the options
3 11 relating to a countywide special property tax levy. The bill
3 12 provides that the emergency management commission shall submit
3 13 the levy amount to the county board of supervisors for
3 14 approval. The bill provides that a property tax levy for
3 15 emergency management must be itemized on the property tax
3 16 statement.

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